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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/519,766	03/06/2000	Koichi Hayashi	105619	8583

25944 7590 07/28/2004

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 07/28/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/519,766

Applicant(s)

HAYASHI ET AL.

Examiner

Maikhanh Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-4 and 7-15 is/are allowed.
- 6) ☒ Claim(s) 1-2 and 5-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to communications: RCE filed 05/04/2004 to the original application filed 03/06/2000.
2. Claims 1-15 are currently pending in this application. Claims 3-4 and 7-15 are allowed. Claims 1-7 and 13-15 are independent claims.

Request Continuation for Examination

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/04/2004 has been entered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Malik et al.** (U.S. 6,023,701 – filed 10/1999) in view of **Himmel et al.** (U.S. 6,211,871 – filed 11/1999, Continuation of application No.08/976,406 – filed 11/1997).

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As to **independent claim 1**, Malik teaches (*abstract*) an apparatus for providing a specific access space (*the user may then select*) that specifies a path (*the most appropriate hyperlink or path*) specific to a user (*user*) who searches (*search*) a hyperlink in a hypertext space (*hyperlinks*) composed of mutual link relation between one or more hypertexts provided by one or more servers (*internet or web network*), comprising:

- first means for adding space identification information to specific information for each user associated with the specific access space relative to page information and managing it in correlation with a reference to the page information, wherein the specific access space specifies the hypertext space that is conformance with a purpose of users (*The user may then select from the presented hyperlinks, the most appropriate hyperlink or path in pursuit of the user's particular search goals...The designated path through the chosen sites may be saved as a bookmarks for future reference and access; col.2, lines 27-47*).

- second means for taking specific information corresponding to requested page information out of the first means and adding it to the page information (*several new selections have been added to the basic bookmark sub-menu; col.5, lines 31-67*); and

- third means for replacing the reference included in the page information with the space identification information (*A user may also select to create a folder from the submenu 413... The folder would create a reference in the listing of bookmarks; col.6, lines 22-44*).

Malik does not explicitly teach “a link relation different from an original hypertext space is formed.”

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Himmel teaches a link relation different from an original hypertext space is formed (*the client 501 sends an HTTP request to old Web address listed in its bookmark set 502 ... The bookmark manager automatically updates the bookmark in the bookmark set by identifying the old bookmark and updating the bookmark with the new URL information; col.18, lines 19-32*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature from Himmel in the system of Malik because Himmel's teaching would have provided capability for handling a set of bookmarks on an entity rather than on one by one basis, and automatically updating of the bookmark.

Independent claim 2, the rejection of independent claim 1 above is incorporated herein in full. However, claim 2 further recites "fourth means for registering the specific information relative to the page information at the first means."

Malik teaches fourth means for registering the specific information relative to the page information at the first means (*several new selections have been added to the basic bookmark sub-menu; col.5, lines 31-54/ A user may also select to create a folder from the submenu 413... The folder would create a reference in the listing of bookmarks; col.6, lines 22-44*).

As to independent claim 5, Malik teaches an apparatus, comprising:

- first means for providing a specific access space that specifies a hypertext space that is in conformance with a purpose of users (*The user may then select from the presented hyperlinks, the most appropriate hyperlink or path in pursuit of the user's particular search goals...The designated path through the chosen sites may be saved as a bookmarks for future reference and access; col.2, lines 27-47*).

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- second means for grouping one or more links that refer to page information and managing the grouped links as link group data (*the network assembles only the available hyperlinks for presentation to the user... selectively assembling and displaying listings of only hyperlinks of designated target pages rather than entire page presentations*; col.2, lines 27-47); and

- third means for applying a requested process to each link included in the link group requested to be processed (*The user may then select from the presented hyperlinks, the most appropriate hyperlink or path in pursuit of the user's particular search goals*; col.2, lines 27-47).

Malik does not explicitly teach “a link relation different from an original hypertext space is formed.”

Himmel teaches a link relation different from an original hypertext space is formed (*the client 501 sends an HTTP request to old Web address listed in its bookmark set 502 ... The bookmark manager automatically updates the bookmark in the bookmark set by identifying the old bookmark and updating the bookmark with the new URL information*; col.18, lines 19-32).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature from Himmel in the system of Malik because Himmel’s teaching would have provided capability for handling a set of bookmarks on an entity rather than on one by one basis, and automatically updating of the bookmark.

Independent claim 6, the rejection of independent claim 5 above is incorporated herein in full. However, claim 6 further recites “fourth means for registering information relative to the link group at the first means.”

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Malik teaches fourth means for registering information relative to the link group at the first means (*several new selections have been added to the basic bookmark sub-menu; col.5, lines 31-54*).

Allowable Subject Matter

5. Claims 3-4 and 7-15 are allowed.

Response to Arguments

6. Applicants' arguments with respect to claims 1-2 and 5-6 and have been fully considered but they are not persuasive.

Applicant argues that *Malik does not disclose or suggest the specific access specifies a hypertext space that is in conformance with a purpose of users and wherein a link relation different from an original hypertext space is formed*. (Remarks, page 11, lines 8-10)

In response, the Examiner believes that the introduction of Himmel, as combined with Malik meets "the specific access specifies a hypertext space that is in conformance with a purpose of users and wherein a link relation different from an original hypertext space is formed." In fact, Malik teaches the specific access specifies a hypertext space that is in conformance with a purpose of users (*The user may then select from the presented hyperlinks, the most appropriate hyperlink or path in pursuit of the user's particular search goals...The designated path through the chosen sites may be saved as a bookmarks for future reference and access; col.2, lines 27-47*). Himmel teaches a link relation different from an original hypertext space is formed (*the client 501 sends an HTTP request to old Web address listed in its bookmark set 502 ... The bookmark*

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manager automatically updates the bookmark in the bookmark set by identifying the old bookmark and updating the bookmark with the new URL information; col.18, lines 19-32).


Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen
July 26, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER